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ORDINANCE NO 2016-56

AN ORDINANCE PROVIDING FOR THE WAGES AND BENEFITS OF THE PART-TIME HOURLY MEMBERS OF THE FIRE DEPARTMENT OF THE CITY OF WILLOUGHBY HILLS; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

WHEREAS, Section 3.32 of the Charter of the City of Willoughby Hills requires that the Council fix by Ordinance the compensation of every officer and employee of the Municipality; and

WHEREAS, Section 2.27 of the Charter of the City of Willoughby Hills states "Though Council has the power to fix salaries as defined in Section 3.32, the Mayor shall have the duty and responsibility to recommend to Council the amount of pay for various positions and shall also have the responsibility to review existing pay scales; and

WHEREAS, Ordinance No. 2014-58 adopted by the Council of the City of Willoughby Hills on September 11, 2014, provided for the terms of employment with respect to wages, hours and other terms and conditions of employment for all full-time employees employed in the Fire Department the classification of Fire Fighter, Lieutenant and Captain, excluding the Fire Chief, Secretary, the civilian employees, part-time, season, and temporary employees with respect to wages, benefits, hours and other terms and conditions of employment; and

WHEREAS, the Council and Mayor of the City of Willoughby Hills deem it to be in the best interest of the City to continue harmonious and cooperative relations with part-time and probationary members of the Fire Department by providing for fair and just wages to ensure the orderly and uninterrupted efficient operations of the government while promoting individual efficiency and service to the citizens of Willoughby Hills; and

WHEREAS, pursuant to the Mayor's Interoffice Memo to the Council Clerk, dated October 18, 2016, consisting of one (1) page and attached hereto as the "**Exhibit A**", the Mayor requested legislation be prepared for pay adjustments to include part-time hourly members of the Fire Department, to be effective retroactively to April 10, 2016, in the amount of a three percent increase and that said pay adjustments are to reflect an amendment to Schedule A of Section 157.01 – Compensation.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO, THAT:

SECTION 1. Compensation - In accordance with Section 3.32 of the City Charter, Council has fixed the compensation for the **Part-Time Hourly Members of the Fire Department** as follows:

SECTION 1.1 Rate of Pay - Part-Time Hourly Members of the Fire Department shall be compensated as detailed in the table below.

Part-Time Position	Hourly Rate	Annual Uniform Allowance		
		Total	Paid to Employee (A)	City Purchase (B)
Assistant Fire Chief	\$18.47	\$500	\$0	\$500
Firefighter Class A	\$17.69	\$1,100	\$550	\$550
Firefighter Class B	\$17.69	\$1,100	\$550	\$550
Firefighter Class C	\$17.15	\$650	\$250	\$400
Firefighter Class D	\$15.78	\$650	\$250	\$400
Firefighter Class E	\$13.89	\$0	\$0	\$0

SECTION 1.2 Vacation, Sick and Holiday Leave - Part-time hourly members of the Fire Department are not entitled to vacation, sick or holiday leave. Part-time members of the Fire Department who are scheduled for and actually work New Year's Day, Good Friday, Easter, Memorial Day, Christmas Eve and or Christmas Day shall be compensated at the rate of one and one half times their base rate of pay for all hours actually worked between 8:00 a.m. of the holiday and 8:00 a.m. the following day.

SECTION 1.3 Personal Time Off - Firefighter Class A shall be entitled to Paid Personal Time Off (PTO) totaling 120 hours per year beginning January 1 each year. All Personal Time Off must be used during the calendar year and shall not accrue from year to year. Personal Time Off shall be paid at the firefighter's hourly rate of pay listed in Section 1.1.

SECTION 1.4 Uniform Maintenance Allowance - Upon recommendation of the Fire Chief and at his/her discretion and subject to approval by the Safety Director and Mayor, part-time members of the Fire Department shall annually receive a uniform maintenance allowance in accordance with Fire Department Directives as detailed in the table listed in Section 1.1 above and the following procedures:

A. Uniform Allowance Payments Paid Directly to Firefighters:

1. Uniform Allowance payments shall be included in the first payroll in May.
2. In lieu of taking direct payment, firefighters may elect to have up to 100% of the uniform maintenance allowance paid directly by the City. The remaining balance, if any, shall be paid directly to the employee.

B. Uniform Allowance Payments Paid by the City On Behalf of Firefighters:

3. Paid by the City directly to a vendor(s) approved by the Fire Chief in accordance with City purchasing procedures.
4. Uniform maintenance purchase orders shall be used or closed by November 15th of the calendar year it was opened.
5. Unused portions of purchase orders let for firefighter uniform maintenance purchase shall not be refunded to the employee.

SECTION 2. Other Compensation

SECTION 2.1 Call-In Duty – For Call-In Duty, part-time members of the Fire Department shall be compensated as follows:

1. Minimum payment – Two (2) hours paid at the firefighter's hourly rate of pay listed in Section 1.1.
2. After two hours worked – After the completion of the second hour, the firefighter shall be paid at the rate of one and one half times the firefighter's regular rate of pay, rounded up to the next half hour.
3. If called in within two hours of the firefighter's scheduled duty, the firefighter shall receive call in pay only for that period of time commencing with the firefighter's arrival and ending with the beginning of the firefighter's scheduled duty. The firefighter shall not be eligible for any minimum Call-In pay.

SECTION 2.2 Acting Shift Officer – Part-time members of the Fire Department who are designated by the Fire Chief or his designee to temporarily assume the duties of the Shift Officer and who perform these duties shall be entitled to an additional one dollar and seventy-five cents (\$1.75) per hour.

SECTION 2.3 Educational Pay – Supplemental Educational Pay shall be allowed at the discretion of the Fire Chief based upon the number of hours worked in the previous calendar year and the relationship of the education to the advancement of the fire service. The hourly rate of qualifying firefighters listed in Section 1.1 shall be increased in accordance with the following annual amounts:

Training Certificate	\$150.00	Bachelor Degree	\$375.00
Associate Degree	\$250.00	Master Degree	\$500.00

SECTION 2.4 Form of Compensation - All compensation shall be by direct deposit. However, should an employee be disadvantaged by direct deposit as determined in the sole discretion of the Mayor, the Mayor shall provide an exemption from direct deposit.

SECTION 3. Hospitalization – Part-time members of the Police Department are entitled to hospitalization insurance in accordance with the requirements of the Federal Affordable Care Act.

SECTION 4. All ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

SECTION 5. All the actions of this Council concerning and relating to the passage of this legislation were conducted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were held in compliance with all legal requirements, including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 6. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operation of the Fire Department, and also provides for an increase in compensation for the part-time hourly members of the Fire Department, who are active employees at the time of passage of this Ordinance, with said pay increases to become effective retroactive to April 10, 2016; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: _____, 2016

Nancy E. Fellows
President of Council

Submitted to the Mayor for his approval on this
_____ day of _____, 2016.

Approved by the Mayor:
_____, 2016

ATTEST:

Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Mayor